

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

**SHANE SARGENT,**

Plaintiff,

V.

2:22cv1742

## Electronic Filing

**SCI GREENE, D.O.C., SWAT TEAM,**

**SECURITY, C/O MR. JUSTIN**

ANDERSON, C/O MR. WILLIAM

**BRODA, C/O MR. STABLE,**

**LT. MR. MCCracken,**

Defendants.

# MEMORANDUM ORDER

This case is before the Court on [7] a Report and Recommendation (“R&R”) that was filed by Magistrate Judge Lenihan on February 16, 2023. The R&R recommends that this case be dismissed with prejudice as a result of plaintiff’s failure to prosecute. This recommendation is based on plaintiff’s failure to file a response to defendants’ pending motion to dismiss despite being directed to do so on multiple occasions. As of this date plaintiff has failed to 1) pay an initial partial filing fee, 2) file any response as to why he was unable to do so or 3) file objections to the R&R. Therefore, after *de novo* review of the record, the following order is now entered:

AND NOW, this 25<sup>th</sup> day of April, 2023, IT IS ORDERED that this case is dismissed with prejudice for failure to prosecute. The February 16, 2023, Report and Recommendation of Magistrate Judge Lenihan is adopted as the Opinion of the Court; and

IT IS FURTHER ORDERED that the Clerk of Court mark this case closed.

s/David Stewart Cercone

David Stewart Cercone

Senior United States District Judge

cc: Shane Sargent  
NQ4023  
SCI Greene  
169 Progress Drive  
Waynesburg, PA 15370

(Via First Class Mail)

The Honorable Lisa Pupo Lenihan  
United States Magistrate Judge